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Notwithstanding Occupancy of Premises by Others.—Under Prohibition Law, § 28, the finding of intoxicating liquor on defendant's premises is prima facie evidence of the violation of the Prohibition Law, notwithstanding occupancy of premises by others.

[Ed. Note.—For other cases, see 8 Va.-W. Va. Enc. Dig. 34.]

Error to Corporation Court of Norfolk.

Edward Moore was convicted of violating the Prohibition Law, and he brings error. Affirmed.

Tomlin & Maupin, of Norfolk, for plaintiff in error.

John R. Saunders, Atty. Gen., J. D. Hank, Jr., Asst. Atty. Gen., and Leon M. Bazile, Second Asst. Atty. Gen., for the Commonwealth.

MOORE *v.* COMMONWEALTH.

March 16, 1922.

[111 S. E. 128.]

1. Intoxicating Liquors (§ 236 (20)*)—Evidence Held Insufficient to Prove Corpus Delicti in Prosecution for Transporting Liquor.—In prosecution for unlawfully transporting intoxicating liquor in excess of one quart, evidence held insufficient to sustain conviction in that it failed to prove the corpus delicti.

[Ed. Note.—For other cases, see 8 Va.-W. Va. Enc. Dig. 34.]

2. Criminal Law (§ 535 (2)*)—Defendant's Extrajudicial Confession Not Alone Sufficient to Establish Corpus Delicti.—Even a confession by the accused, which is extrajudicial, that he committed the offense with which he is charged, is not, alone and uncorroborated, adequate proof to establish the corpus delicti.

[Ed. Note.—For other cases, see 4 Va. W. Va. Enc. Dig. 78.]

Error to Circuit Court, Scott County.

W. S. Cox, of Gate City, for plaintiff in error.

John R. Saunders, Atty. Gen., J. D. Hank, Jr., Asst. Atty. Gen., and Leon M. Bazile, Second Asst. Atty. Gen., for the Commonwealth.

CHRISTIAN *v.* COMMONWEALTH.

March 30, 1922.

[111 S. E. 130.]

1. Indictment and Information (§ 75 (1)*)—Omission of Commas Not Demurrable Defect.—Demurrer to indictment under Prohibition Act, § 7, because a comma was omitted after accused's name, as well as after the word "indictment," was properly overruled.

[Ed. Note.—For other cases, see 7 Va.-W. Va. Enc. Dig. 455.]

2. Intoxicating Liquors (§ 134*)—Liquid Need Not Contain Alcohol to Be "Ardent Spirits" within Prohibition Act.—Under Prohibition

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.